Before the Public Service Commission of South Carolina Columbia, South Carolina

CM# 22-05 February 3, 2022 2:00 p.m.

(VIA VIDEOCONFERENCE)

COMMISSION MEMBERS PRESENT: Chairman Justin T.
Williams; Vice Chair Florence P. Belser;
Commissioner Carolyn L. "Carolee" Williams;
Commissioner Thomas J. "Tom" Ervin (via
videoconference); Commissioner Stephen M. "Mike"
Caston; Commissioner Headen B. Thomas; and
Commissioner Delton W. Powers, Jr.

COMMISSION MEMBERS ABSENT: -

PRESENTING AGENDA: F. David Butler, Esq.
General Counsel

COURT REPORTER: Kathleen R. Tackett, CVR-M

TRANSCRIPT / MINUTES

OF

COMMISSION BUSINESS MEETING



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NEXT COMMISSION MEETING SET	3
SUPPLEMENTAL AGENDA	4
UTILITIES AGENDA	6
MOTOR CARRIER AGENDA 33	3



1	PROCEEDINGS
2	CHAIRMAN J. WILLIAMS: Good afternoon, ladies
3	and gentlemen. Welcome to the Public Service
4	Commission of South Carolina. Today is
5	February 3rd, 2020 [sic]. It is two o'clock
6	p.m., and we're here for our weekly business
7	meeting. Before we get started, please join
8	me in a brief moment of silence.
9	Thank you, ladies and gentlemen. Present
10	in the hearing room, we have Commissioners
11	Williams, Caston, Powers, Belser, Carolee
12	Williams, and Thomas. Joining us virtually,
13	we have Commissioner Ervin. Attorney Butler,
14	if you would please read the agenda.
15	ATTORNEY BUTLER: Yes, sir. Thank you very
16	much. Good afternoon, Mr. Chairman and other
17	commissioners. The first order of business
18	would be to set the next Commission business
19	meeting. Staff would recommend that it be set
20	on Wednesday, February the 9th at 2 p.m.
21	CHAIRMAN J. WILLIAMS: Wednesday, February 9th
22	at 2 p.m., the Commission will hold its next
23	scheduled business meeting. Thank you, sir.
24	ATTORNEY BUTLER: Thank you very much, Mr.
25	Chairman. And going ahead with our agendas
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	1	for today, there is a Supplemental Agenda
	2	item. This is Docket Number 2020-263-E. It's
	3	a case of Cherokee County Cogeneration
	4	Partners, LLC, v. Duke Energy Progress and
	5	Duke Energy Carolinas. And for consideration
	6	today by the Commission would be the Duke
	7	Companies' request for approval of a petition
	8	for expedited accounting and true-up and other
	9	relief.
	10	CHAIRMAN J. WILLIAMS: Thank you very much,
	11	sir. Is there a motion?
	12	COMMISSIONER THOMAS: Mr. Chairman?
	13	CHAIRMAN J. WILLIAMS: Commissioner Thomas,
	14	you have the floor, sir.
	15	COMMISSIONER THOMAS: Thank you. I move that
	16	the Commission grant Duke Energy Carolinas'
	17	motion for an expedited accounting order and
	18	true-up as it is in the public interest to
	19	hold customer's harmless. I further move that
	20	the Commission find that DEC overpaid Cherokee
	21	during the period January the 1st, 2021,
	22	through December 31st, 2021, in the amount of
	23	\$3,048,041, which is net of the amounts
	24	withheld by DEC under prior invoices, as
	25	security as detailed in the petition. I move
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1	that the Commission find that Cherokee is
2	liable and responsible to reimburse DEC for
3	excess payments in the net amount of
4	\$3,048,041. I move that the Commission order
5	that DEC is entitled and authorized to
6	payment, reimbursement, and/or collection of
7	the net sum amount of \$3,048,041 from
8	Cherokee. DEC is further granted the
9	authority from the Commission to seek and
10	obtain payment for the net sum amount of
11	\$3,048,041 from the Letter of Credit Number
12	04161635 or any other means allowed by law.
13	CHAIRMAN J. WILLIAMS: Thank you, Commissioner
14	Thomas. Commissioners, hearing Commissioner
15	Thomas's motion, is there any discussion?
16	Hearing none, we'll vote, starting with
17	District 1. Commissioner Williams?
18	COMMISSIONER C. WILLIAMS: I vote aye.
19	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
20	VICE CHAIR BELSER: I vote aye.
21	CHAIRMAN J. WILLIAMS: Commissioner Caston?
22	COMMISSIONER CASTON: Aye.
23	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
24	COMMISSIONER ERVIN: Aye.
25	CHAIRMAN J. WILLIAMS: Commissioner Thomas?



1	COMMISSIONER THOMAS: Aye.
2	CHAIRMAN J. WILLIAMS: Commissioner Powers?
3	CHAIRMAN POWERS: Aye.
4	CHAIRMAN J. WILLIAMS: Chairman Williams votes
5	aye.
6	The ayes have it. The motion carries.
7	ATTORNEY BUTLER: Mr. Chairman, other members
8	of the Commission, moving on to our regular
9	Utilities Agenda. Item Number 1 is in Docket
10	Number 2021-23-C. This is a joint application
11	of Charter Fiberlink SC-CCO, LLC, and Time
12	Warner Cable Information Services for
13	designation as an eligible telecommunications
14	carrier. At this time for Commission
15	consideration is Charter Fiberlink and Time
16	Warner Cable Information Services second
17	notice of change to ETC-designated service
18	areas.
19	CHAIRMAN J. WILLIAMS: Thank you, Attorney
20	Butler. Is there a motion?
21	COMMISSIONER C. WILLIAMS: Chairman Williams?
22	CHAIRMAN J. WILLIAMS: Commissioner Williams,
23	you have the floor, ma'am.
24	COMMISSIONER C. WILLIAMS: Thank you, sir. I
25	move that the Commission approve the changes
11	I



1	to the ETC-designated service areas as
2	designated to the EC ETC-designated service
3	areas as listed by the second notice of change
4	to ETC-designated service areas provided by
5	Charter Fiberlink SC-CCO, LLC, and Time Warner
6	Cable Information Services Services South
7	Carolina. I so move.
8	CHAIRMAN J. WILLIAMS: Commissioners, hearing
9	Commissioner Williams's motion, is there any
10	discussion?
11	Hearing none, we'll vote, starting with
12	District 1. Commissioner Williams?
13	COMMISSIONER C. WILLIAMS: Aye.
14	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
15	VICE CHAIR BELSER: I vote aye.
16	CHAIRMAN J. WILLIAMS: Commissioner Caston?
17	COMMISSIONER CASTON: Aye.
18	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
19	COMMISSIONER ERVIN: Aye.
20	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
21	COMMISSIONER THOMAS: Aye.
22	CHAIRMAN J. WILLIAMS: Commissioner Powers?
23	CHAIRMAN POWERS: Aye.
24	CHAIRMAN J. WILLIAMS: Chairman Williams votes
25	aye.
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The ayes have it. Yeah. I'm sorry. Excuse me. Chairman Williams votes aye. The ayes have it. The motion carries. ATTORNEY BUTLER: Thank you, Mr. Chairman. Item Number 2 on the Utilities Agenda is in Docket Number 2021-114-E, and this asks for Commission consideration the petition for declaratory order of Orangeburg County Solar Project, LLC, and Orangeburg South Solar Project, LLC. CHAIRMAN J. WILLIAMS: Thank you, Attorney Butler. Ladies and gentlemen, I am not voting in this matter as I have been advised by my staff that because I did not participate in the oral arguments that it's in the interest of transparency and in the abundance of caution not to vote in this matter as I did not hear the issues presented during the oral arguments. And I am not voting on Item 2. Is there a motion? COMMISSIONER THOMAS: Mr. Chairman? CHAIRMAN J. WILLIAMS: Commissioner Thomas. COMMISSIONER THOMAS: Thank you. I move that the Commission find that the 230 kV tie line associated with Orangeburg County Solar		1
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24 the Commission find that the 230 kV tie line	22	CHAIRMAN J. WILLIAMS: Commissioner Thomas.
	23	COMMISSIONER THOMAS: Thank you. I move that
25 associated with Orangeburg County Solar	24	the Commission find that the 230 kV tie line
	25	associated with Orangeburg County Solar



1	Project, LLC, and the Orangeburg South Solar
2	Project, LLC, and its associated facilities
3	mandates that the Commission conduct a
4	proceeding under the South Carolina Siting
5	Act. I further move that the Commission deny
6	the request for a declaratory order in this
7	docket as to proposed Orangeburg County Solar
8	Project and Orangeburg South Solar Project,
9	collectively "the projects," meet the
10	definition of a major utility facility as
11	defined by SC Code Annotated Section 58-33-
12	20(2) and trigger the requirements of the
13	South Carolina Utility Facility Siting and
14	Environmental Protection Act with regard to
15	the 230 kV tie line and associated facilities.
16	I also move that the Commission limit this
17	order to ruling on the status of the 230 kV
18	tie line in relation to the South Carolina
19	Siting Act. In order for the Commission to
20	consider the status of the actual solar
21	facilities with respect to the Siting Act, the
22	applicants must provide more details to the
23	Commission than have already been provided on
24	the project's capacity limitations, as well as
25	total capacity for which the project is



1	designed for or capable of.
2	The law mandates that no person shall
3	commence to construct a major utility facility
4	without first having attained a certificate
5	issued by the Commission, SC Code Section 58-
6	33-110(1)(Supplement 2021). As mandated by
7	the South Carolina Utility Facility Siting and
8	Environmental Protection Act, any electric-
9	generating plant and associated facilities
10	designed for or capable of operation at a
11	capacity of more than 75 megawatts is a major
12	utility facility requiring a certificate from
13	the Commission prior to commencing
14	construction and the filing of an application
15	with the Commission, SC Code Section 58-33-
16	110(1) and 58-33-120 (Supplement 2021). So
17	move.
18	CHAIRMAN J. WILLIAMS: Commissioners, hearing
19	Commissioner Thomas's motion, is there any
20	discussion?
21	COMMISSIONER C. WILLIAMS: Chairman Williams?
22	CHAIRMAN J. WILLIAMS: Commissioner Williams,
23	you have the floor, ma'am.
24	COMMISSIONER C. WILLIAMS: Thank you, sir.
25	This Commission's job is to interpret and



1	enforce the law. The Savion application for
2	Orangeburg County Solar Project and Orangeburg
3	South's Solar Project is intriguing as it
4	would add almost 149 megawatts of renewable
5	energy to South Carolina's energy portfolio.
6	That is compelling. But our state's statute
7	is more compelling. State statute requires,
8	as Commissioner Thomas reflected, that an
9	electric transmission line and associated
10	facilities of a design operating voltage of
11	125 kilovolts or more meet the Utility
12	Facility Siting and Environmental Protection
13	Act as found in Section 58-33-20(2). Savion's
14	proposal involves a transmission line that,
15	per current statutes, must meet the
16	requirements of the Utility Facility Siting
17	and Environmental Protection Act. In the oral
18	arguments, we heard testimony that of the
19	regulations in other states regarding minimum
20	lengths of transmission line that are allowed
21	to be permitted outside of their state's
22	Siting Act. But South Carolina does not have
23	such a law, nor do we have regulations within
24	the Siting Act that clearly defines the
25	maximums regarding DC and AC currency, further



1	definitions of designs we're capable of, and
2	the use of restrictors to ensure that the
3	facility is designed for energy generation
4	that never exceeds the maximum to avoid the
5	Utility Siting Act.
6	South Carolina's Utility Facility Siting
7	and Environmental Protection Act has its roots
8	in the 1960s when solar-produced energy was in
9	its infancy. It was designed to look at the
10	impacts of coal and nuclear and hydro and gas
11	plants. It was designed to look at impacts on
12	the environment and the community. The act
13	has been updated, but my question is: Has it
14	been updated to reflect the impacts associated
15	with solar energy and the impacts associated
16	with major land-use changes? This particular
17	application involves almost 3,000 acres of
18	land. The state and local regulators need to
19	know the evolving best management practices
20	for proposals such as this. In other words,
21	how can South Carolina regulators ensure that
22	there are no unintended harmful circumstances?
23	I am supporting Commissioner Thomas's
24	motion, but I also offer that perhaps it's
25	time for the appropriate entities to consider



1	how the Utility Facility Siting and
2	Environmental Protection Act is is involved
3	in the review of large-scale solar arrays and
4	their transmission and how those are impactful
5	to nearby community and the environment.
6	Thank you, Chairman Williams and Commissioner
7	Thomas.
8	CHAIRMAN J. WILLIAMS: Thank you, Commissioner
9	Williams. Commissioners, any more discussion?
10	Again, I am not voting in this matter as I did
11	not attend oral arguments where issues were
12	presented to the Commission to determine the
13	outcome of this matter.
14	Hearing no further discussion, we will
15	vote, starting with District 1. Commissioner
16	Williams?
17	COMMISSIONER C. WILLIAMS: Aye.
18	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
19	VICE CHAIR BELSER: Mr. Chairman, I
20	respectfully vote no. I agree with the
21	portion that the 230 kV tie line does trigger
22	the Siting Act. I do take a different view on
23	the remainder of the motion, and, therefore, I
24	respectfully vote no. Thank you.
25	CHAIRMAN J. WILLIAMS: Commissioner Caston?



1	COMMISSIONER CASTON: Aye.
2	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
3	COMMISSIONER ERVIN: I am going to vote no as
4	I agree with Commissioner Belser's analysis.
5	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
6	COMMISSIONER THOMAS: Aye.
7	CHAIRMAN J. WILLIAMS: Commissioner Powers?
8	CHAIRMAN POWERS: Aye.
9	CHAIRMAN J. WILLIAMS: The ayes have it. The
10	motion carries.
11	ATTORNEY BUTLER: Mr. Chairman and other
12	members of the Commission, Item Number 3 is
13	Docket Number 2021-363-E. This is a complaint
14	matter, Valli Finney v. Duke Energy Progress,
15	LLC. And before the Commission today is Duke
16	Energy Progress's motion to dismiss the
17	complaint and a request for confidential
18	treatment of certain portions of the motion.
19	CHAIRMAN J. WILLIAMS: Thank you, Attorney
20	Butler. Is there a motion?
21	COMMISSIONER C. WILLIAMS: Chairman Williams?
22	CHAIRMAN J. WILLIAMS: Commissioner Williams,
23	you have the floor, ma'am.
24	COMMISSIONER C. WILLIAMS: Thank you, sir.
25	With regard to this complaint matter, the
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1	complaint's the complainant's household
2	account was on a equal payment plan before the
3	account was erroneously modified by Duke
4	Energy Progress. Commission records indicate
5	that at least some of the existing customers
6	equal payment plan accounts were grandfathered
7	after the company substituted the budget
8	billing plan, including Ms. Finney's account.
9	The issue of whether any benefit or difference
10	has been improperly removed from the
11	complainant by removing the household account
12	from the equal payment plan is remaining.
13	Therefore, I move that the Commission deny the
14	motion to dismiss. I further move that the
15	Commission set the matter for hearing before
16	the full Commission and request that the
17	clerk's office set the matter for hearing at
18	the earliest available time. I also believe
19	that the Commission, through this motion,
20	should encourage the parties to discuss
21	whether resolution may be reached before the
22	scheduled hearing since it appears that at
23	least one portion of the request of relief may
24	be a return to the legacy equal payment plan
25	arrangement. Finally, I move that the



1	Commission grant the request for confidential
2	treatment of the confidential version of the
3	motion to dismiss and its exhibits as the
4	motion and exhibits contain customer-specific
5	account information. I so move.
6	CHAIRMAN J. WILLIAMS: Commissioners, hearing
7	Commissioner Williams's motion, is there any
8	discussion?
9	Hearing none, we'll vote, starting with
10	District 1. Commissioner Williams?
11	COMMISSIONER C. WILLIAMS: Aye.
12	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
13	VICE CHAIR BELSER: I vote aye.
14	CHAIRMAN J. WILLIAMS: Commissioner Caston?
15	COMMISSIONER CASTON: Aye.
16	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
17	COMMISSIONER ERVIN: Aye.
18	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
19	COMMISSIONER THOMAS: Aye.
20	CHAIRMAN J. WILLIAMS: Commissioner Powers?
21	CHAIRMAN POWERS: Aye.
22	CHAIRMAN J. WILLIAMS: Chairman Williams votes
23	aye.
24	The ayes have it. The motion carries.
25	ATTORNEY BUTLER: Mr. Chairman, with the



1	Commission's permission, staff would request
2	that Item Number 4 be carried over just for
3	the moment and be considered once again when
4	the Commission gets to Item Number 8 on the
5	Utilities Agenda.
6	CHAIRMAN J. WILLIAMS: Item 4 is carried over.
7	ATTORNEY BUTLER: Thank you, sir. Item Number
8	5 is Docket Number 2021-297-E. This is
9	Petition of Lockhart Power Company for the
10	order approving accounting treatment related
11	to settlement and true-up amounts received
12	from Duke Energy Carolinas, LLC. Before the
13	Commission today for consideration is Lockhart
14	Power Company's petition for an order
15	approving the accounting treatment related to
16	settlement and true-up amounts received from
17	Duke Energy Carolinas, LLC.
18	CHAIRMAN J. WILLIAMS: Thank you, Attorney
19	Butler. Is there a motion?
20	COMMISSIONER THOMAS: Mr. Chairman?
21	CHAIRMAN J. WILLIAMS: Commissioner Thomas,
22	you have the floor, sir.
23	COMMISSIONER THOMAS: Thank you. I move that
24	the Commission grant Lockhart Lockhart
25	Power Company's petition for an order



1	approving accounting treatment related to
2	settlement and true-up amounts received from
3	Duke Energy Carolinas, LLC. Further, I move
4	that Lockhart adopt ORS's recommendation that
5	the company file annual reports with the ORS
6	each January except for the first report which
7	must be filed by the end of February 2022.
8	These reports shall include the December 31st
9	balances of the settlement and true-up charges
10	owed to customers compared to the beginning
11	balance of the liability for that year and all
12	other requirements recommended by ORS in its
13	letter dated November the 19th, 2021.
14	However, I move that the 2021 through 2025
15	rate discounts are not to be included in the
16	settlement and true-up charges and should only
17	be referenced in a footnote in Exhibit A of
18	the amended petition. As they are part of a
19	confidential settlement, they shall be
20	redacted as necessary. The actual amount of
21	these credits during the 2021 through 2025
22	will be applied to Duke Energy Carolina,
23	LLC's, monthly bills to the company, which
24	will then flow through to the customers
25	pursuant to Schedule O. I so move.



1	CHAIRMAN J. WILLIAMS: Commissioners, hearing
2	Commissioner Thomas's motion, is there any
3	discussion?
4	Hearing none, we'll vote, starting with
5	District 1. Commissioner Williams?
6	COMMISSIONER C. WILLIAMS: Aye.
7	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
8	VICE CHAIR BELSER: Aye.
9	CHAIRMAN J. WILLIAMS: Commissioner Caston?
10	COMMISSIONER CASTON: Aye.
11	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
12	COMMISSIONER ERVIN: Aye.
13	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
14	COMMISSIONER THOMAS: Aye.
15	CHAIRMAN J. WILLIAMS: Commissioner Powers?
16	CHAIRMAN POWERS: I vote aye.
17	CHAIRMAN J. WILLIAMS: Chairman Williams votes
18	aye.
19	The ayes have it. The motion carries.
20	ATTORNEY BUTLER: Mr. Chairman, other the
21	members of the Commission, Item Number 6 is
22	under Docket Number 2021-9-E, Dominion Energy
23	South Carolina, Inc.'s, Integrated Resource
24	Plan, and the update before the Commission is
25	the consideration of a motion for confidential



1	treatment of joint comments filed on behalf of
2	South Carolina Coastal Conservation League,
3	Southern Alliance for Clean Energy, and
4	Carolinas Clean Energy Business Association.
5	CHAIRMAN J. WILLIAMS: Thank you, Attorney
6	Butler. Is there a motion?
7	COMMISSIONER ERVIN: Mr. Chairman, this is
8	Commissioner Ervin.
9	CHAIRMAN J. WILLIAMS: Commissioner Ervin, you
10	have the floor, sir.
11	COMMISSIONER ERVIN: Thank you, sir. This
12	item is moot. After the posting of this
13	Commission's agenda, CCL and SACE filed a
14	letter on January 28, 2022, advising that they
15	mistakenly asked for confidential treatment as
16	their joint January 14th filing only contained
17	public information and, "There is no need for
18	the Commission to grant confidential
19	treatment." Since the publishing of this
20	agenda, the intervenors withdrew their motion
21	for confidential treatment. Therefore, I move
22	that the matter be dismissed as moot. So
23	move.
24	CHAIRMAN J. WILLIAMS: Commissioners, hearing
25	Commissioner Ervin's motion, is there any



1	discussion?
2	Hearing none, we will vote, starting with
3	District 1. Commissioner Williams?
4	COMMISSIONER C. WILLIAMS: Aye.
5	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
6	VICE CHAIR BELSER: I vote aye.
7	CHAIRMAN J. WILLIAMS: Commissioner Caston?
8	COMMISSIONER CASTON: Aye.
9	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
10	COMMISSIONER ERVIN: Aye.
11	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
12	COMMISSIONER THOMAS: Aye.
13	CHAIRMAN J. WILLIAMS: Commissioner Powers?
14	CHAIRMAN POWERS: Aye.
15	CHAIRMAN J. WILLIAMS: Chairman Williams votes
16	aye.
17	The ayes have it. The motion carries.
18	ATTORNEY BUTLER: Item Number 7 is under
19	Docket Number 2021-374-E. Before the
20	Commission today for consideration is Dominion
21	Energy South Carolina, Incorporated's, request
22	for waiver of bid requirement and approval to
23	transfer Sand Dunes Property to SDC Island
24	Resident Club, LLC.
25	CHAIRMAN J. WILLIAMS: Thank you, Attorney



1	Butler. Is there a motion?
2	COMMISSIONER POWERS: Mr. Chairman?
3	CHAIRMAN J. WILLIAMS: Commissioner Powers,
4	you have the floor, sir.
5	COMMISSIONER POWERS: Thank you, Mr. Chairman.
6	I move the Commission deny the request for
7	waiver of the competitive bid requirement. As
8	a result, the Commission at this time does not
9	approve the sale of the Sand Dunes property to
10	SDC Island Resident Club, LLC. Dominion shall
11	obtain competitive bids for the sale of this
12	property so as to obtain fair market value.
13	Upon the conclusion of the bidding process,
14	Dominion shall report back to the Commission
15	and update its request for approval of the
16	property transfer. Additionally, DESC must
17	comply with Commission Order Number 21-358 and
18	all related orders concerning transfers of
19	property.
20	CHAIRMAN J. WILLIAMS: Commissioners, hearing
21	Commissioner Powers's motion, is there any
22	discussion?
23	COMMISSIONER C. WILLIAMS: Chairman Williams?
24	CHAIRMAN J. WILLIAMS: Commissioner Williams,
25	you have the floor, ma'am.



1	COMMISSIONER C. WILLIAMS: Upon seeing the
2	independent market appraisal, I was open to
3	approving this item. The transparency of
4	seeing the market appraisal made a difference
5	in my thinking. However, the Code of Conduct
6	governing the relationship among Dominion
7	Energy South Carolina, SCANA Corporation,
8	Dominion Energy, Inc., and certain other
9	affiliates, which was approved in May of 2021,
10	included the requirement of a competitive bid
11	process for properties with an appraised value
12	in excess of \$1 million. Dominion Energy
13	South Carolina is requesting a waiver from
14	that code but did so without filing any
15	compelling reasons for extenuating
16	circumstances that necessitated the request
17	for a waiver of the bid requirement. Hence,
18	Commissioner Powers, I support your motion.
19	Thank you.
20	CHAIRMAN J. WILLIAMS: Thank you, Commissioner
21	Williams. Any further discussion?
22	COMMISSIONER POWERS: Mr. Chairman?
23	CHAIRMAN J. WILLIAMS: Commissioner Powers,
24	you have the floor, sir.
25	COMMISSIONER POWERS: I appreciate

1	Commissioner Williams' support. It's real
2	estate is worth what somebody's willing to
3	pay, and even if they had what they thought
4	was some compelling reason, I I think this
5	is something that belongs on the open market.
6	And I think the more money they get, the
7	better off the ratepayers are. Thank you.
8	CHAIRMAN J. WILLIAMS: All right. Any further
9	discussion?
10	COMMISSIONER ERVIN: Mr. Chairman?
11	CHAIRMAN J. WILLIAMS: Commissioner Ervin.
12	COMMISSIONER ERVIN: Thank you, Mr. Chairman.
13	I'm going to support Commissioner Powers'
14	motion because I agree that, clearly, a bid
15	requirement should not be waived absent some
16	compelling reason. Dominion has offered no
17	reason. They want to sell to a private party
18	without a competitive bid process. This is
19	not proper under the Code of Conduct that's
20	been pointed out earlier by other
21	commissioners. Therefore, the Commission will
22	expect, if this motion is adopted, a
23	competitive bidding process, meaning this will
24	not be approved unless there are competitive
25	bids secured either through the listing



1	service or commercial the sale of
2	commercial property documented with proper
3	offers or a transparent public auction process
4	so that the highest bidder is the successful
5	bidder. Thank you, Mr. Chairman.
6	CHAIRMAN J. WILLIAMS: Thank you, Commissioner
7	Ervin. Any further discussion?
8	Commissioner Powers, Commissioner Ervin,
9	Commissioner Williams, I respect you-all's
10	position on this matter. I see it a little
11	bit differently. I do understand that I do
12	understand everything that you've stated
13	regarding why you support the motion and why,
14	Commissioner Powers, you made the motion. I
15	take the position that a bird in the hand is
16	better than a bird in the bush, and Dominion
17	Energy has submitted information to the
18	Commission that, in my opinion, makes me feel
19	comfortable enough to allow the sale of this
20	property for the stated price. But I do
21	understand why you all take the opposite
22	position. I will respectfully vote no. Any
23	further discussion?
24	Hearing none, we'll vote, starting with
25	District 1. Commissioner Williams?
II .	



1	COMMISSIONER C. WILLIAMS: Aye.
2	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
3	VICE CHAIR BELSER: I vote no.
4	CHAIRMAN J. WILLIAMS: Commissioner Caston?
5	COMMISSIONER CASTON: Aye.
6	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
7	COMMISSIONER ERVIN: Aye.
8	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
9	COMMISSIONER THOMAS: Aye.
10	CHAIRMAN J. WILLIAMS: Commissioner Powers?
11	CHAIRMAN POWERS: I vote aye.
12	CHAIRMAN J. WILLIAMS: Chairman Williams votes
13	no.
14	The ayes have it. The motion carries.
15	ATTORNEY BUTLER: Thank you, Mr. Chairman,
16	other members of the Commission. At this
17	time, staff would recommend that Item Number 8
18	and Item Number 4 be taken together. Item
19	Number 8 is under Docket Number 2021-349-E,
20	and before the Commission in Item Number 8 is
21	consideration of Duke Energy Carolinas, LLC,
22	and Duke Energy Progress, LLC's, notice of
23	withdrawal of the joint petition pursuant to
24	South Carolina Code Annotated Section 58-3-
25	225(e). Item Number 4 brings to the
11	



1	Commission's attention Duke Energy Progress,
2	LLC, and Duke Energy Carolina, LLC's, motion
3	to recuse along with Google, LLC's, request
4	that oral arguments be scheduled.
5	COMMISSIONER ERVIN: Mr. Chairman?
6	CHAIRMAN J. WILLIAMS: Yes, Commissioner
7	Ervin. You have the floor, sir.
8	COMMISSIONER ERVIN: Thank you, Mr. Chairman.
9	I'd like for the record to reflect that I will
10	not be voting on this item, and I will not be
11	participating in the deliberations or
12	discussions. Thank you.
13	CHAIRMAN J. WILLIAMS: Thank you, Commissioner
14	Ervin. Commissioner Ervin is not voting in
15	Item 8.
16	COMMISSIONER THOMAS: Mr. Chairman?
17	CHAIRMAN J. WILLIAMS: Commissioner Thomas.
18	You have the floor, sir.
19	COMMISSIONER THOMAS: Thank you. I would just
20	like to state from the state for the record
21	that I'm going to abstain from voting on this
22	item. Thank you.
23	CHAIRMAN J. WILLIAMS: Thank you, Commissioner
24	Thomas. Commissioner Thomas is not voting on
25	Item 8. Commissioners, is there a motion?
II	



	1
1	COMMISSIONER CASTON: Chairman Williams, I'd
2	like to make a motion.
3	CHAIRMAN J. WILLIAMS: Commissioner Caston,
4	you have the floor, sir.
5	COMMISSIONER CASTON: With with regard to
6	Item Number 8, this item, because there was a
7	response filed by Walmart, Inc., on December
8	29th, 2021, a responsive pleading has been
9	filed in this docket. Therefore, a notice of
10	withdrawal allowable by South Carolina Code
11	Section 58-3-225(e) is no longer a valid
12	option. I move that the Commission, however,
13	treat Duke Energy Carolinas, LLC, and Duke
14	Energy Progress, LLC's, notice of withdrawal
15	as a motion to withdraw and that the
16	Commission grant the motion to withdraw of
17	Duke Energy Carolinas, LLC, and Duke Energy
18	Progress, LLC. Since the underlying joint
19	petition is withdrawn, all pending motions in
20	this docket, including the motion in Item
21	Number 4 and on today's agenda, as stated by
22	Mr. Butler, are moot and dismissed.
23	Therefore, I move that the Commission dismiss
24	all pending motions and administratively close
25	this docket. I so move.
II	I



1	CHAIRMAN J. WILLIAMS: Commissioners, hearing
2	Commissioner Caston's motion, is there any
3	discussion?
4	Hearing none, we'll vote, starting with
5	District 1. Commissioner Williams?
6	COMMISSIONER C. WILLIAMS: I vote Aye.
7	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
8	VICE CHAIR BELSER: I vote aye.
9	CHAIRMAN J. WILLIAMS: Commissioner Caston?
10	COMMISSIONER CASTON: Aye.
11	CHAIRMAN J. WILLIAMS: Commissioner Powers?
12	COMMISSIONER ERVIN: Aye.
13	CHAIRMAN J. WILLIAMS: Chairman Williams votes
14	aye.
15	The ayes have it. The motion carries.
16	ATTORNEY BUTLER: Item Number 9 on the
17	Utilities Agenda is under under Docket
18	Number 2019-108-G. For Commission
19	consideration is the 18th Amendment to the
20	Unites States Department of Defense contract
21	at Fort Jackson filed on behalf of Dominion
22	Energy South Carolina, Incorporated.
23	CHAIRMAN J. WILLIAMS: Commissioners, is there
24	a motion?
25	VICE CHAIR BELSER: Mr. Chairman?
II	I



1	CHAIRMAN J. WILLIAMS: Vice Chair Belser, you
2	have the floor, ma'am.
3	VICE CHAIR BELSER: Thank you. I move the
4	Commission accept as information the 18th
5	Amendment to the United States Department of
6	Defense Contract Number SP0600-18-C-8326 Fort
7	Jackson filed on behalf of Dominion Energy
8	South Carolina, Incorporated.
9	CHAIRMAN J. WILLIAMS: Hearing Vice Chair
10	Belser's motion, Commissioners, is there any
11	discussion?
12	Hearing none, we will vote starting with
13	District 1. Commissioner Williams?
14	COMMISSIONER C. WILLIAMS: Aye.
15	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
16	VICE CHAIR BELSER: I vote aye.
17	CHAIRMAN J. WILLIAMS: Commissioner Caston?
18	COMMISSIONER CASTON: Aye.
19	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
20	COMMISSIONER ERVIN: Aye.
21	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
22	COMMISSIONER THOMAS: Aye.
23	CHAIRMAN J. WILLIAMS: Commissioner Powers?
24	CHAIRMAN POWERS: Aye.
25	CHAIRMAN J. WILLIAMS: Chairman Williams votes



1	aye.
2	The ayes have it. The motion carries.
3	ATTORNEY BUTLER: Mr. Chairman, staff would
4	ask that Item Number 10 be carried over,
5	please?
6	CHAIRMAN J. WILLIAMS: Item 10 is carried
7	over.
8	ATTORNEY BUTLER: Thank you, sir. That gets
9	us to Item Number 11. It's under Docket
10	Number 2021-130-S. Before the Commission for
11	consideration is a request for approval of the
12	sale of assets and transfer of facilities,
13	territory, and the certificate of public
14	convenience and necessity from Synergy
15	Utilities, LP, to South Carolina Water
16	Utilities, Incorporated, and also the
17	settlement agreement submitted by the parties
18	in this matter.
19	VICE CHAIR BELSER: Mr. Chairman?
20	CHAIRMAN J. WILLIAMS: Vice Chair Belser.
21	VICE CHAIR BELSER: I have a motion that I'll
22	make at this time. I move the Commission
23	approve the settlement agreement submitted by
24	Synergy Utilities, LP, South Carolina Water
25	Utilities, Inc., the City of Orangeburg, the



1	Northwood Estates Homeowners Association,
2	Inc., and the South Carolina Office of
3	Regulatory Staff. In approving the settlement
4	agreement, the Commission approves the sale
5	and transfer of the Synergy Sewer assets to
6	SCWU. As contained in the settlement
7	agreement, the Commission recognizes the
8	intended transfer of the Northwoods sewer
9	system from SCWU to the City of Orangeburg
10	Department of Public Works excuse me
11	Public Utilities pursuant to the terms of the
12	settlement agreement. So move.
13	CHAIRMAN J. WILLIAMS: Commissioners, hearing
14	Vice Chair Belser's motion on Item 11, is
15	there any discussion?
16	Hearing none, we'll vote, starting with
17	District 1. Commissioner Williams?
18	COMMISSIONER C. WILLIAMS: Aye.
19	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
20	VICE CHAIR BELSER: Aye.
21	CHAIRMAN J. WILLIAMS: Commissioner Caston?
22	COMMISSIONER CASTON: Aye.
23	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
24	COMMISSIONER ERVIN: Aye.
25	CHAIRMAN J. WILLIAMS: Commissioner Thomas?



1	COMMISSIONER THOMAS: Aye.
2	CHAIRMAN J. WILLIAMS: Commissioner Powers?
3	CHAIRMAN POWERS: Aye.
4	CHAIRMAN J. WILLIAMS: Chairman Williams votes
5	aye.
6	The ayes have it. The motion carries.
7	ATTORNEY BUTLER: Thank you, Mr. Chairman,
8	other members of the Commission. This does
9	complete the Utilities Agenda for today.
10	Moving on to the Commission's Motor
11	Carrier Agenda, staff would request that Item
12	Numbers 1 through 6 be taken together today.
13	These are all requests for approval of Class C
14	authority. I will review the items briefly
15	for the Commission's consideration. Item
16	Number 1 is Docket Number 2022-36-T, which is
17	an application of Aleet Transport, LLC, for a
18	Class C non-emergency certificate. Item
19	Number 2 is Docket Number 2022-37-T, which is
20	the application of Aleet Transport, LLC, for a
21	Class C stretcher van certificate. Item 3 is
22	the application of KMar Enterprises, LLC, for
23	a Class C non-emergency certificate. Item 4
24	is the application of U Ride Transportation,
25	LLC, for a Class C non-emergency certificate.



1	Item Number 5 is Docket Number 2022-42-T.
2	This is the application of Open Arms
3	Counseling Center, Inc., d/b/a Open Arms
4	Logistical Services for a Class C non-
5	emergency certificate. And, finally, in this
6	series is Number 6, Docket Number 2022-46-T,
7	the application of Complete Charleston Tours,
8	LLC, for a Class C charter certificate.
9	CHAIRMAN J. WILLIAMS: Thank you, Attorney
10	Butler. Commissioners, is there a motion?
11	COMMISSIONER C. WILLIAMS: Chairman Williams?
12	CHAIRMAN J. WILLIAMS: Commissioner Williams,
13	you have the floor, ma'am.
14	COMMISSIONER C. WILLIAMS: Thank you, sir. I
15	move that the Commission approve the
16	applications for Class C authority in Items
17	Numbers 1 through 6, as listed by Mr. Butler.
18	CHAIRMAN J. WILLIAMS: Commissioners, hearing
19	Commissioner Williams's motion, is there any
20	discussion?
21	Hearing none, we'll vote starting with
22	District 1. Commissioner Williams?
23	COMMISSIONER C. WILLIAMS: Aye.
24	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
25	VICE CHAIR BELSER: Aye.
II .	I



1	CHAIRMAN J. WILLIAMS: Commissioner Caston?
2	COMMISSIONER CASTON: Aye.
3	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
4	COMMISSIONER ERVIN: Aye.
5	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
6	COMMISSIONER THOMAS: Aye.
7	CHAIRMAN J. WILLIAMS: Commissioner Powers?
8	CHAIRMAN POWERS: Aye.
9	CHAIRMAN J. WILLIAMS: Chairman Williams votes
10	aye.
11	The ayes have it. The motion carries.
12	ATTORNEY BUTLER: Mr. Chairman, other members
13	of the Commission, staff recommends taking
14	Item Numbers 7 and 8 together. Both are
15	requests for extension of time to comply with
16	Commission rules and regulations. I will
17	summarize those briefly for the Commission.
18	Item Number 7 is Docket Number 2021-155-T,
19	which is the request of Mr. Pete Transport,
20	LLC, for an extension of time until June 2nd,
21	2022, to comply with Commission rules and
22	regulations. Item Number 8 is Docket Number
23	2021-241-T. This is the application of Gracie
24	Medical Transport, LLC. The request is for an
25	extension of time until August 11th, 2022, to



1	comply with Commission rules and regulations.
2	CHAIRMAN J. WILLIAMS: Commissioners, is there
3	a motion?
4	COMMISSIONER CASTON: Chairman Williams, I'd
5	like to make a motion.
6	CHAIRMAN J. WILLIAMS: Commissioner Caston,
7	you have the floor, sir.
8	COMMISSIONER CASTON: I move that the
9	Commission grant the requests for extensions
10	of time to comply with Commission rules and
11	regulations in Items Number 7 and 8 as listed
12	by Mr. Butler.
13	CHAIRMAN J. WILLIAMS: Commissioners, hearing
14	Commissioner Caston's motion, is there any
15	discussion?
16	Hearing none, we'll vote starting with
17	District 1. Commissioner Williams?
18	COMMISSIONER C. WILLIAMS: Aye.
19	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
20	VICE CHAIR BELSER: Aye.
21	CHAIRMAN J. WILLIAMS: Commissioner Caston?
22	COMMISSIONER CASTON: Aye.
23	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
24	COMMISSIONER ERVIN: Aye.
25	CHAIRMAN J. WILLIAMS: Commissioner Thomas?

1	COMMISSIONER THOMAS: Aye.
2	CHAIRMAN J. WILLIAMS: Commissioner Powers?
3	CHAIRMAN POWERS: Aye.
4	CHAIRMAN J. WILLIAMS: Chairman Williams votes
5	aye.
6	The ayes have it. The motion carries.
7	ATTORNEY BUTLER: Item Number 9 is under
8	Docket Number 2020-226-T. This is a request
9	of Dawn's Taxi and Transportation Services,
10	LLC, to cancel Class C Taxi Certificate Number
11	9538.
12	CHAIRMAN J. WILLIAMS: Commissioners, is there
13	a motion?
14	COMMISSIONER C. WILLIAMS: Chairman Williams?
15	CHAIRMAN J. WILLIAMS: Commissioner Williams,
16	you have the floor, ma'am.
17	COMMISSIONER C. WILLIAMS: Thank you, sir. I
18	move that the Commission grant the request of
19	Dawn's Taxi and Transportation Services, LLC,
20	to cancel its Class C Taxi Certificate Number
21	9538.
22	CHAIRMAN J. WILLIAMS: Commissioners, hearing
23	Commissioner Williams's motion, is there any
24	discussion?
25	Hearing none, we'll vote starting with
II .	· · · · · · · · · · · · · · · · · · ·



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1	District 1. Commissioner Williams?
2	COMMISSIONER C. WILLIAMS: Aye.
3	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
4	VICE CHAIR BELSER: I vote aye.
5	CHAIRMAN J. WILLIAMS: Commissioner Caston?
6	COMMISSIONER CASTON: Aye.
7	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
8	COMMISSIONER ERVIN: Aye.
9	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
10	COMMISSIONER THOMAS: Aye.
11	CHAIRMAN J. WILLIAMS: Commissioner Powers?
12	CHAIRMAN POWERS: Aye.
13	CHAIRMAN J. WILLIAMS: Chairman Williams votes
14	aye. The ayes have it. The motion carries.
15	ATTORNEY BUTLER: Item Number 10 is a request
16	to amend. This is a request of Ranky Tanky
17	Transit, LLC, to amend Class C non-emergency
18	certificate Number 9638 to read, "TC's Medical
19	Transit, LLC."
20	CHAIRMAN J. WILLIAMS: Commissioners, is there
21	a motion?
22	COMMISSIONER POWERS: Mr. Chairman?
23	CHAIRMAN J. WILLIAMS: Commissioner Powers,
24	you have the floor, sir.
25	COMMISSIONER POWERS: Thank you, Mr. Chairman.
ii .	· · · · · · · · · · · · · · · · · · ·



1	I move the Commission grant the request of
2	Ranky Tanky Transit, LLC, to amend its Class C
3	non-emergency Certificate Number 9638 to read,
4	"TC's Medical Transit, LLC."
5	CHAIRMAN J. WILLIAMS: Commissioners, hearing
6	Commissioner Powers' motion, is there any
7	discussion?
8	COMMISSIONER POWERS: Mr. Chairman?
9	CHAIRMAN J. WILLIAMS: Commissioner Powers.
10	COMMISSIONER POWERS: It is not easy to say
11	"Ranky Tanky" with a straight face.
12	CHAIRMAN J. WILLIAMS: I completely agree.
13	Any further discussion?
14	Hearing none I will say I appreciate
15	Ranky Tanky Transit's creativity in their
16	name. It did provide a source of
17	entertainment for us today. If there's no
18	further discussion, we'll vote on Ranky Tanky
19	Transit, LLC, starting with District 1.
20	Commissioner Williams?
21	COMMISSIONER C. WILLIAMS: Aye.
22	CHAIRMAN J. WILLIAMS: Vice Chair Belser?
23	VICE CHAIR BELSER: I vote aye.
24	CHAIRMAN J. WILLIAMS: Commissioner Caston?
25	COMMISSIONER CASTON: Aye.



1	CHAIRMAN J. WILLIAMS: Commissioner Ervin?
2	COMMISSIONER ERVIN: Aye.
3	CHAIRMAN J. WILLIAMS: Commissioner Thomas?
4	COMMISSIONER THOMAS: Aye.
5	CHAIRMAN J. WILLIAMS: Commissioner Powers?
6	CHAIRMAN POWERS: I vote aye.
7	CHAIRMAN J. WILLIAMS: Chairman Williams votes
8	aye.
9	The ayes have it. The motion carries.
10	VICE CHAIR BELSER: Mr. Chairman, I would note
11	that there is a very good band out of
12	Charleston by the name of Ranky Tanky, and I'm
13	proud to say that they there are a number
14	of College of Charleston graduates in that
15	in that band.
16	CHAIRMAN J. WILLIAMS: Well, here's to Ranky
17	Tanky.
18	ATTORNEY BUTLER: Mr. Chairman and other
19	members of the Commission, that completes the
20	Motor Carrier's Agenda and, in fact, all the
21	agendas before the Commission for today.
22	CHAIRMAN J. WILLIAMS: Thank you, Attorney
23	Butler. Ladies and gentlemen, we are
24	adjourned.
25	(WHEREUPON, at 2:38 p.m. the proceedings



Commission Meeting CM#22-05

1	in the above-entitled matter were
2	adjourned.)
3	(*This transcript may contain quoted
4	material. Such material is reproduced as
5	read or quoted by the speaker.)
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STATE OF SOUTH CAROLINA )

CERTIFICATE

COUNTY OF RICHLAND )
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Be it known that Kathleen R. Tackett, CVR-M took the foregoing proceeding and hereby attests:

that I was then and there a notary public in and for the State of South Carolina-at-large and that by virtue thereof I was duly authorized to administer an oath;

that the deponent/witness was first duly sworn to testify to the truth, the whole truth, and nothing but the truth, concerning the matter in the controversy aforesaid;

that the foregoing transcript represents a true, accurate, and complete transcription of the testimony so given at the time and place aforesaid to the best of my skill and ability;

that I am neither a relative nor an employee of any of the parties hereto, nor of any attorney or counsel employed by the parties hereto, nor interested in the outcome of this action;

that, if a recording of an event was supplied by another party for purposes of transcription and I was not present during that event, the foregoing pages were transcribed to the best of my skill and ability; additionally, any identifications of speakers were provided to me by the party supplying the recording;

that, in the event of a nonappearance by the witness, the foregoing details for the nonappearance are accurate.

In witness thereof, I have hereunto affixed my signature and title.

Kathleen R. Tackett, CVR-M

Date: 2/16/2022

Notary public for South Carolina My commission expires July 21, 2030 *Unless otherwise noted, this notary public administered the oath. Please refer to the transcript for any exceptions.

